



# Chicago Metropolitan Agency for Planning

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## MEMORANDUM

**To:** CMAP Board

**Date:** May 5, 2010

**From:** CMAP Staff

**Re:** State Legislative Update

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*List includes only bills of interest to CMAP and does not include HBs or SBs referred to Rules or Assignments.*

### Calendar & Deadlines

- May 7 – House deadline 3<sup>rd</sup> reading SBs, Adjournment
- May 7 – Senate deadline 3<sup>rd</sup> reading HBs, Adjournment

### CMAP Budget Update

As previously reported (more information below), no funding was identified for the Comprehensive Regional Planning Fund; however funding for MPOs and regional planning agencies statewide was included in IDOT's FY 11 budget. Since then, there have been no changes in terms of CMAP's funding. The General Assembly has conducted appropriation hearings for state agencies relevant to CMAP's work, i.e., IDOT, IDNR, ISTHA, and IEPA. Most discussions revolve around successes of the previous year and the agency's effort to limit funding reliance on GRF, where possible. CMAP staff has been in communication with House and Senate appropriations staff and has been advised that limited discussions have occurred on a final budget. The General Assembly staff remains optimistic that a budget could be completed before the May 7<sup>th</sup> adjournment deadline. However, there are reports that Governor Quinn is urging the General Assembly to work past the deadline. Staff will continue to actively monitor the appropriations process to ensure no significant changes occur in the funding amounts.

***Previous Information:** Funding for MPOs and regional planning agencies was included in the IDOT FY 11 budget under Metropolitan Planning and Research Purposes – State Share. CMAP is extremely grateful to the Governor and his staff for including this in the budget. CMAP also appreciates all the legislators from northeastern Illinois who expressed the need to continue to fund CMAP and regional planning.*

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## Public Acts

**Primary Elections** [SB 355](#) – Demuzio (D-Carlinville) *House Sponsor: Nekritz (D-Des Plaines)* – This bill changes the Illinois' general primary election day from the first Tuesday in February to the third Tuesday in March, in even-numbered years. Public Act [96-0886](#).

**Jobs Creation Tax Credit** [SB 1578](#) – Creates the Small Business Job Creation Tax Credit Act which allows small businesses of no more than 50-full time employees to receive a \$2,500 tax credit for each full-time employee hired during the state's Fiscal Year 2011. Public Act [96-0888](#).

**Pension Reform** [SB 1946](#) – Cullerton (D-Chicago) *House Sponsor: Madigan (D-Chicago)* – The Illinois General Assembly passed public pension reform. The retirement reforms create a two-tiered pension system that does not affect current employees or retirees, but lessens benefits and increases the retirement age for newly-hired government employees. Passed Senate (48Y; 6N; 3P); Passed House (92Y; 17N; 7P). For more details, please visit the following websites: <http://www.senatedem.ilga.gov/> or <http://www.senategop.state.il.us/>. Public Act [96-0889](#).

**Gasification Technology** [HB 2688](#) – Leitch (R-Peoria) *Senate Sponsor: Clayborne (D-East St. Louis)* – Allows the IEPA to permit a portion of a pollution control facility to test gasification conversion technology, the process of applying heat to municipal waste, grain, switch grass to convert to synthetic gas to use for the generation of electricity. Public Act [96-0887](#).

## Bills that Passed Both Houses

**Pedestrian Stop** [HB 43](#) – Arroyo (D-Chicago) *Senate Sponsor: Steans (D-Chicago)* – The bill would require the driver of a vehicle to stop and yield the right-of-way to a pedestrian at a crosswalk and in school zones. Passed House (60Y; 54N). Passed Senate (33Y; 15N; 4P).

**Homeowner Emergency Assistance** [HB 2360](#) Turner (D-Chicago) *Senate Sponsor: Hendon (D-Chicago)* – This bill authorizes the Illinois Housing Development Authority to implement and administer the grant program to assist homeowners facing foreclosure. Eligible applicants receive counseling and may receive assistance up to \$6,000, or the sum of three monthly mortgage payments, whichever is less. Passed House (73Y; 38N; 5P). Passed Senate (35Y; 15N).

**Forest Preserve Bonds** [HB 4639](#) – Osmond (R-Antioch) *Senate Sponsor: Althoff (R-Crystal Lake)* – The bill would extend maturation of bonds for forest preserves and conservation districts from 20 years to 25 years, except Build America Bonds. Passed House (98Y; 17N). Passed Senate (52Y; 2N).

**Farmers' Markets** [HB 4756](#) – Ford (D-Chicago) *Senate Sponsor: Hutchison (D-Olympia Fields)* – This bill would create a special fund in the state treasury to implement the Farmers' Market Technology Improvement Program that would help farmers purchase or rent wireless POS terminals to process SNAP benefits from the Illinois LINK program. Passed House (110Y; 2N). Passed Senate (48Y; 5N).

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**Energy Efficiency** [HB 4758](#) – Tryon (R-Crystal Lake) *Senate Sponsor: Althoff (R-Crystal Lake)* – This bill would authorize a county to enter into voluntary agreements with property owners in unincorporated areas in order to provide for contractual assessments to finance the installation of distributed generation, renewable energy sources or energy efficiency improvements. Passed House (112Y; 0N; 1P). Passed Senate (53Y; 0N).

**Intergovernmental Agreements** [HB 4945](#) – Mathias (R-Arlington Heights) *Senate Sponsor: Wilhelmi (D-Crest Hill)* – This bill would permit local government to authorize the treasurer of the local government to join with other treasurers to jointly invest funds of which the treasurer has custody. Passed House (111Y; 0N). Passed Senate (51Y; 0N).

**Annexation** [HB 4968](#) – Farnham (D-Elgin) *Senate Sponsor: Holmes (D-Plainfield)* – This bill would allow a municipality to annex territory which is not contiguous to the municipality if the territory is separated by an area dedicated to conservation and owned by a not-for-profit organized under Section 501(c)(3). Passed House (98Y; 16N). Passed Senate (52Y; 3N).

**FOIA** [HB 5154](#) – Chapa LaVia (D-Aurora) *Senate Sponsor: Lightford (D-Westchester)* – This bill would exempt the disclosure of performance evaluations from the FOIA in the state of Illinois. Passed House (70Y; 39N). Passed Senate (48Y; 9N; 1P).

**Water Revolving Loans** [HB 5226](#) – Mell (D-Chicago) *Senate Sponsor: Steans (D-Chicago)* – This bill would authorize funds in the Loan Support Program to be used to finance water pollution control projects. It would allow the Public Water Supply Loan Program to be used to make direct loans and provide subsidies to eligible local governments and privately-owned community water supplies. Certain projects would fulfill federal State Revolving Fund grant requirements for a green project reserve. Passed House (109Y; 0N). Passed Senate (54Y; 0N).

**Transit Boards** [HB 5329](#) Phelps (R-Harrisburg) *Senate Sponsor: Forby (R-Benton)* – This bill permits a municipal transit district with jurisdiction over more than 4,500 square miles to include members participating in a video conference at specified locations when determining the physical presence of a quorum at an open meeting. Passed House (96Y; 19N). Passed Senate (54Y; 0N).

**Open Meetings** [HB 5483](#) Renée Kosel (R-Mokena) *Senate Sponsor: Garrett (D-Highwood)* – This bill amends the Open Meetings Act to require public bodies to allow public comments at all meetings and to set time limits for approving meeting minutes. Requires minutes to be approved and made available after 30 days or at the public body's second subsequent regular meeting. Once approved, minutes must be made available within 10 days (now, seven days). Passed House (114Y; 0N). Passed Senate (59Y; 0N).

**Housing Tax Credit** [HB6038](#) Turner (D-Chicago) *Senate Sponsor: Clayborne, Jr, (D-East St. Louis)* – The Illinois' Affordable Housing Tax Credit expires 2011; this bill would extend it to 2016. This credit supplies crucial support for employer assisted housing programs across the

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state. The state allocates \$2M per year for EAH, leveraging \$8M in private investment. Passed House (98Y; 9N; 1P). Passed Senate (55Y; 1N).

**H+T Affordability Index [SB 374](#)** – Raoul (D-Chicago); *House Sponsor: Tryon (R-Crystal Lake)* – This bill creates the Housing+Transportation Affordability Index, and requires various state agencies to use it to measure housing and transportation affordability and utilize it as a development tool when considering funding allocation, distribution of incentives, and facility siting in Metropolitan Planning Organization areas. Passed Senate (34Y; 20 N; 1 P); Passed House (114Y; 0N; 1P).

**DuPage Water Commission [SB 580](#)** – Cronin (R-Elmhurst); *House Sponsor: Ramey (R-Carol Stream)* –Dissolves the current board and creates a new board appointed by the county board chair - a chair, who serves as commissioner and 1 from each of the county board districts. The appointments agreed upon by a majority vote of the mayors of those included municipalities that have the greatest population percentage residing within a county board district. Passed Senate (39Y; 5N; 7P). Passed House (49Y; 0N).

**RTA Borrowing [SB 941](#)** – Munoz (D-Chicago); *House Sponsor: Nekritz (D-Northbrook)* – This bill allows the RTA to sell up to \$300 million in working cash bonds. Passed Senate (31Y; 11N; 3P). Passed House (72Y; 43N).

**Bicyclist Safety [SB 2951](#)** – Silverstein (D-Chicago); *House Sponsor: Sente (D-Chicago)* – This bill makes it a Class 4 felony to intentionally menace bicyclists, pedestrians or equestrians on roadways. Passed Senate (55Y; 0N; 2P); Passed House (93Y; 20N; 1P).

**Water Systems [SB 3070](#)** Althoff (R-Crystal Lake) *House Sponsor: Tryon (R-Crystal Lake)* – This bill require owner or operators of a community water system to submit a response plan to the Illinois EPA. Passed House (11Y; 3N) Passed Senate (47Y; 0N).

**Tax Caps [SB 3139](#)** – Harmon (D-Oak Park); *House Sponsor: Nekritz (D-DesPlaines)* – This bill allows taxing districts, specifically park districts, to increase debt service extension base by five percent or Consumer Price Index (CPI). Passed Senate (50Y; 0N); Passed House (67Y; 45N; 0P).

**Road Districts [SB 3430](#)** – Althoff (R-Crystal Lake); *House Sponsor: Tryon (R-Crystal Lake)* – This bill allows all road districts to be sued, to acquire property and to enter into contracts. Passed Senate (56Y; 0N); Passed House (113Y; 0N; 0P).

**Motor Fuel Tax [SB 3462](#)** – Link (D-Waukegan); *House Sponsor: Winters (D-Shirland)* – This bill amends the MFT law to allow road districts to collect a portion of MFT taxes. Passed Senate (51Y; 3N); Passed House (110Y; 2N; 0P).

**Road Districts [SB 3592](#)** – Bond (D-Grayslake); *House Sponsor: Froelich (D-Schaumburg)* – This bill requires IDOT to inventory all township road districts in counties with 1 million or more

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inhabitants, including miles of roads, costs for maintenance, taxes, number of employees, etc. Passed Senate (54Y; 0N); Passed House (71Y; 35N; 0P).

### **Bills Pending Floor Action**

**Illiana Expressway [HB 1075](#)** – Froehlich (D-Schaumburg); *Senate Sponsor Hutchison (D-Chicago Heights)* – Allows the Illinois Department of Transportation to actively use public-private partnership financing mechanisms to design, fund, build and construct the Illiana Expressway. Postponed in Committee May 3, 2010. Third Reading.

**Business District Development [SB 2523](#)** – Clayborne (D-Belleville); *House Sponsor: Holbrook (D-Belleville)* – This bill would allow municipalities to issue bonds without referendum for business district development and sets out procedures for public hearings. Second Reading.

**TIF Valuations [SB 3151](#)** – Link (D-Waukegan) – This bill would amend TIF statutes by requiring assessed valuations in each area to increase by an amount equal to the consumer price index. Third Reading deadline established as May 7, 2010.

**TIF Notice [SB 3152](#)** – Link (D-Waukegan); *House Sponsor: Froelich (D-Schaumburg)* – This bill would require municipalities and counties to disclose in yearly status reports the amount of revenues generated in and expenditures made by the governing body in economic development/TIF areas. Passed Senate (54Y; 2N; 1P). Passed House (117Y; 0N).

**Public-Private Partnerships [SB 3482](#)** – Steans (D-Chicago) – This bill would promote public-private partnerships for transportation by authorizing IDOT and ISTHA to enter into agreements related to the development, operation and financing of transportation facilities & to encourage the practice of congestion pricing in connection with toll highways. Third Reading.

**Industrial Jobs [SB 3619](#)** – Syverson (R-Rockford); *House Sponsor: Winters (R-Rockford)* – This bill amends the Industrial Jobs Recovery Law in the Illinois Municipal Code. It would extend the authority granted to municipalities to establish redevelopment project areas and to adopt tax increment allocation financing to 01/01/13. Final Action Deadline Extended to May 8, 2010. Third Reading.

**Public-Private Partnerships [SB 3802](#)** – Steans (D-Chicago) Creates the Public-Private Partnerships for Transportation Act for the Illinois Department of Transportation. Third Reading.

### **Bills Pending in Committee**

**RTA Tax Opt-Out [HB 2516](#)** – Franks (D-Woodstock) *Senate Sponsor: Althoff (R-Crystal Lake)* – The bill provides counties an option to opt out of any tax increase imposed by the RTA tax and that the county would no longer receive distributions or any other benefits from the increase. Submission of the opt-out is to be submitted to the RTA in the form of a resolution. Postponed in Committee April 28, 2010. Committee deadline extended to May 7, 2010.

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**Public Private Partnerships** [HB 4623](#) – Jakobsson (D-Champaign) *Senate Sponsor Steans (D-Chicago)* – Creates the Public-Private Partnerships for Transportation Act for the Illinois Department of Transportation. Postponed in Committee April 28, 2010.

**Green SSAs** [SB 2505](#) – Frerichs (D-Champaign); *House Sponsor: Lang (D-Skokie)* – This bill would allow municipalities to establish a green energy special service area to fund energy efficiency improvements or renewable energy improvements. Passed Senate (37Y; 11N; 1P). Committee/Final Action Deadline Extended to May 8, 2010.

**Innovation Zones** [SB 3638](#) – Bond (D-Grayslake); *House Sponsor: Currie (D-Chicago)* – This bill would create innovation zones that include activities to encourage and retain entrepreneurs and highly skilled, educated graduates and workers, supplement public/private sector collaborations. Passed Senate (53Y; 0N). Committee/Final Action Deadline Extended to May 8, 2010. Executive Committee Hearing May 5, 2010.

#### **Bills that Failed Passage**

**Affordable Housing** [SB 3001](#) – Garrett (D-Lake Forest)

This bill would have allowed counties to create affordable housing trust funds, paid for by revenues on deed recordings. Lost on Third Reading (20Y; 30N; 2P) March 11, 2010.

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